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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,012	01/20/2004	Mike Hollatz	6065-90993	1662
24628 7590 09/25/2009 Husch Blackwell Sanders, LLP Husch Blackwell Sanders LLP Welsh & Katz 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606				
EXAMINER				
PARK, JEONG S				
ART UNIT		PAPER NUMBER		
2454				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/761,012

Applicant(s)

HOLLATZ, MIKE

Examiner

JEONG S. PARK

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/20/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

1. This communication is in response to Application No. 10/761,012 filed on 1/20/2004. The amendment presented on 8/13/2008, which amends claims 1, 2, 5, 6, 10, 11, 14, 15, 19, 20 and 23-25, and provides change to the specification, is hereby acknowledged. Claims 1-27 have been examined.

Drawings

2. The amendment presented on 8/13/2008 providing change to the specification is noted. All prior objections to the drawings are hereby withdrawn.

Claim Objections

The amendment presented on 8/13/2008 providing change to the claims is noted. All prior objections to the claims are hereby withdrawn.

Response to Arguments

3. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-18 and 20-27 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 10 recite the limitation "the automatic call distributor system." There is insufficient antecedent basis for this limitation in the claim.

Claims 2, 11 and 20 recite the limitation "the automatic contact distributor." There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-7, 10-16 and 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1) in view of Foti (U.S. Pub. No. 2002/0194378).

Regarding claims 1, 10 and 19, Wengrovitz teaches as follows:

A method of routing a SIP call within an automatic contact distributor system wherein an initial SIP message of the SIP call from a caller is forwarded to the automatic contact distributor system via a first server (a system and method for efficient and accurate establishment of SIP sessions between calling and called end-points, see, e.g., abstract), such method comprising the steps of:

selecting an agent of the automatic call distributor system to handle the SIP call (calling end-point 50 in figure 2 initiates a call by transmitting a call initiation message to the server 56 in figure 2, see, e.g., page 3, paragraph [0032]); and

setting up a the SIP call connection between an the selected agent (called end-point 52 in figure 2) of the automatic call distributor system and the caller (calling end-point 50 in figure 2) so as to route any SIP messages between the agent and the caller through a second server (proxy server 56a in figure 3)(establishing a SIP call, see, e.g., page 3, paragraph [0035] to paragraph [0038] and figure 3).

Wengrovitz does not teach of modifying any source addresses of the SIP messages sent from the agent to the caller and received by the second server from the agent by substituting an address of the second server in SIP messages sent from the agent to the caller and forwarding the modified SIP messages to the caller thereby protecting anonymity of the agent from the caller and re-addressing SIP messages received from the caller at the second server and forwarding the re-addressed SIP messages to the agent.

Foti teaches as follows:

A system and method of hiding the source Internet Protocol (IP) address of an originating and/or terminating terminal during media flow by routing IP packets through an enhanced Media Resource Function (MRF equivalent to applicant's second server or buffer server) that removes the source address and substitutes an alias address (see, e.g., abstract); and

alternatively, the terminating IP terminal may wish to hide its IP address from the originating IP terminal. In this case, an address translation function in the home network of the terminating IP terminal replaces the source address of the terminating IP terminal with the IP address of the address translation function (see, e.g., page 1, paragraph [0008]);

the present invention is described herein primarily in terms of the Session Initiation Protocol (SIP) developed by the Internet Engineering Task Force (IETF), but is equally applicable to the International Telecommunications Union (ITU) H.323 protocol, or other packet-switched control protocols. In a typical IP network, PC clients or IP telephony terminals (fixed or mobile) are identified and addressed by an e-mail address (proxy/alias), or an IP address or both. The present invention makes a substitution for this identifying address, regardless of the specific protocol (see, e.g., page 4, paragraph [0030]);

modifying any source addresses of the SIP messages sent from the agent (terminal B, 13 in figure 4) to the caller (terminal A, 10 in figure 4)(MRF-M modifies the terminal B's address to $IPTF_B$ and sends to the terminal A, see, e.g., page 6, paragraph [0049] and step 107 and 109 in figure 4) and received by the second server (interpreted as MRF-M) from the agent by substituting an address of the second server ($IPTF_B$) in SIP messages sent from the agent to the caller (the MRF-M substitutes $IPTF_B$ as the source address, see, e.g., page 6, paragraph [0049]) and forwarding the modified SIP messages to the caller thereby protecting anonymity of the agent from the caller (see, e.g., step 109 in figure 4 and page 6, paragraph [0048] and [0049]); and

re-addressing SIP messages received from the caller at the second server and forwarding the re-addressed SIP messages to the agent (MRF-M re-addresses destination address IPTF_B with address B, see, e.g., step 104 in figure 4 and page 6, paragraph [0048]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Wengrovitz to include an enhanced Media Resource Function that removes the source address and substitutes an alias address as taught by Foti in order to efficiently hide the source address of an originating or terminating terminal.

Regarding claims 2, 11 and 20, Wengrovitz teaches as follows:

Receiving a SIP INVITE (see, e.g., page 1, paragraph [0004]) from the caller (calling end-point 50 in figure 3) by the automatic contact distributor system requesting a communication session (voice conversation 90 in figure 3) with an agent (called end-point 52 in figure 3) of the automatic contact distributor (establishing a SIP call, see, e.g., page 3, paragraph [0035] to paragraph [0038] and figure 3).

Regarding claims 3, 12 and 21, Wengrovitz teaches as follows:

Determining a call type (caller's intent) from the SIP INVITE (SIP INVITE message includes caller information to be used by the server to route the call and the caller information relates to the caller's intent, see, e.g., page 3, paragraphs [0032] and [0036]).

Regarding claims 4, 13 and 22, Wengrovitz teaches as follows:

Selecting the agent based upon the determined call type (caller information to be used by the server to route the call, see, e.g., page 3, paragraphs [0032]).

Regarding claims 5 and 14, Wengrovitz teaches as follows:

The second server is a buffer server and the step of setting up the call further comprises forwarding the SIP INVITE to the buffer server along with an identifier of the selected agent (the "To" field of the SIP INVITE message header includes a generic SIP URL associated with a called end-point, see, e.g., page 1, paragraph [0005]).

Regarding claims 6, 15 and 24, Wengrovitz teaches as follows:

Entering the SIP INVITE into a routing table within the buffer server along with the identifier (SIP URL) of the selected agent (location server 25 in figure 1A retrieves the SIP URL associated with the called end-point to resolve the URL to a more precise address, see, e.g., page 1, paragraph [0006]), therefore the location server inherently includes a table to map between the SIP URL and the more precise address.

Regarding claims 7, 16 and 25, Wengrovitz teaches as follows:

Appending the identifier (SIP URL) to a universal resource identifier (specific IP address) of the buffer server (location server 100 in figure 5) within the SIP INVITE (location server deduces the address using information in the location server and database for ascertaining a most appropriate IP address, see, e.g., page 4, paragraph [0041]).

Regarding claim 23, Foti teaches as follows:

A routing table for re-addressing the SIP messages that are transferred between the agent and the client (address translation table, see, e.g., page 7, paragraph [0047] and table 2).

Therefore, it is rejected for similar reason as presented above in claim 19.

Regarding claim 24, Wengrovitz teaches as follows:

the proxy server further comprises an Internet connection (Internet 54 in figure 2, see, e.g., page 3, paragraph [0031]) that allows the proxy server to forward the SIP INVITE to the buffer server along with an identifier of the selected agent (the "To" filed of the SIP INVITE message header includes a generic SIP URL associated with a called end-point, see, e.g., page 1, paragraph [0005]).

8. Claims 8, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1) in view of Foti (U.S. Pub. No. 2002/0194378), and further in view of Strathmeyer et al. (hereinafter Strathmeyer)(U.S. Patent Pub. No. 2004/0120502 A1).

Regarding claims 8, 17 and 26, Wengrovitz teaches all the limitations of claim except for explicitly showing conversion from SIP protocol to instant message protocol.

Strathmeyer teaches as follows:

gateway (120 in figure 1) may receive a call setup request signal from a PSTN network and then generate and send a corresponding SIP INVITE message, which may request the setup of a corresponding packet telephony call (see, e.g., page 4, paragraph [0038]); and

gateway may provide protocol conversion or protocol interworking between any types of protocols (see, e.g., page 4, paragraph [0039]).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Wengrovitz in view of Foti to include gateway functionality capable

of protocol conversion between SIP protocol and instant message protocol as taught by Strathmeyer in order to widely utilize the automatic call routing method for any different networks environment.

9. Claims 9, 18 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wengrovitz (U.S. Patent Pub. No. 2002/0141404 A1) in view of Foti (U.S. Pub. No. 2002/0194378), and further in view of Borella et al. (hereinafter Borella)(U.S. Patent No. 6,816,912 B1).

Regarding claims 9, 18 and 27, Wengrovitz teaches all the limitations of claim except for using tunneling protocol for communication between the client and the buffer server.

Borella teaches as follows:

a method and system for tunnel optimized call setup for mobile nodes (see, e.g., col. 2, line 61 to col. 3, line 13 and abstract).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Wengrovitz in view of Foti to include tunneling method and system for call setup as taught by Borella in order to optimize the call setup process between different networks.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S. P./
Examiner, Art Unit 2454

September 22, 2009

/NATHAN FLYNN/

Supervisory Patent Examiner, Art Unit 2454